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JAN 22 2020	
CLERK US DISTRICT COURT DISTRICT OF NEVADA	
BY:	DEPUTY

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

UNITED STATES OF AMERICA,

Plaintiff,

v.

ROBERT BARKMAN,

Defendant.

3:19-CR-052-RCJ-WGC

Preliminary Order of Forfeiture

This Court finds Robert Barkman pled guilty to Count One of a One-Count Information charging him with sale and interstate shipment of endangered species in violation of 16 U.S.C. § 1538(a)(1)(F). Information, ECF No. 1; Plea Agreement, ECF No. __; Change of Plea, ECF No. __.

This Court finds Robert Barkman agreed to the forfeiture of the property set forth in the Plea Agreement and the Forfeiture Allegation of the Information. Information, ECF No. 1; Plea Agreement, ECF No. __; Change of Plea, ECF No. __.

This Court finds, pursuant to Fed. R. Crim. P. 32.2(b)(1) and (2), the United States of America has shown the requisite nexus between property set forth in the Plea Agreement and the Forfeiture Allegation of the Information and the offense to which Robert Barkman pled guilty.

The following property is (1) all fish or wildlife or plants taken, possessed, sold, purchased, offered for sale or purchase, transported, delivered, received, carried, shipped, exported, or imported contrary to the provisions of 16 U.S.C. § 1538(a)(1)(F), any regulation made pursuant thereto, or any permit or certificate issued hereunder and (2) all guns, traps, nets, and other equipment, vessels, vehicles, aircraft, and other means of

1 transportation used to aid the taking, possessing, selling, purchasing, offering for sale or
2 purchase, transporting, delivering, receiving, carrying, shipping, exporting, or importing of
3 any fish or wildlife or plants in violation of 16 U.S.C. § 1538(a)(1)(F), any regulation made
4 pursuant thereto, or any permit or certificate issued thereunder, and is subject to forfeiture
5 pursuant to 16 U.S.C. § 1540(e)(4)(A) with 28 U.S.C. § 2461(c):

- 6 1. I-1, one skull;
- 7 2. I-2, one skull;
- 8 3. I-3, tooth pendant kit with teeth;
- 9 4. I-4, three skin scalps, one bag with nine teeth, one bag with ten teeth/tusks, eight
10 teeth/tusks, one bag with eighteen teeth and one bag with thirteen teeth;
- 11 5. J-1, one bag of sixty claws, one bag with nine claws, one bag with four teeth, and
12 one bag with four teeth;
- 13 6. J-2, one claw;
- 14 7. F-1, one four teeth and five claws;
- 15 8. F-2, one skull;
- 16 9. F-3, one skull;
- 17 10. F-4, one skull;
- 18 11. F-5, one skull;
- 19 12. F-6, one piece of bone;
- 20 13. E-1, one bag with one spotted cat pelt;
- 21 14. S-1, one shipping box with label

22 (all of which constitutes property).

23 This Court finds that the United States of America may amend this order at any time
24 to add subsequently located property or substitute property to the forfeiture order pursuant
25 to Fed. R. Crim. P. 32.2(b)(2)(C) and 32.2(e).

26 This Court finds the United States of America is now entitled to, and should, reduce
27 the aforementioned property to the possession of the United States of America.

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1 NOW THEREFORE, IT IS HEREBY ORDERED, ADJUDGED, AND
2 DECREED that the United States of America should seize the aforementioned property.

3 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED all possessory
4 rights, ownership rights, and all rights, titles, and interests of Robert Barkman in the
5 aforementioned property are forfeited and are vested in the United States of America and
6 shall be safely held by the United States of America until further order of the Court.

7 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED the United States
8 of America shall publish for at least thirty (30) consecutive days on the official internet
9 government forfeiture website, www.forfeiture.gov, notice of this Order, which shall
10 describe the forfeited property, state the time under the applicable statute when a petition
11 contesting the forfeiture must be filed, and state the name and contact information for the
12 government attorney to be served with the petition, pursuant to Fed. R. Crim. P. 32.2(b)(6)
13 and 21 U.S.C. § 853(n)(2).

14 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that any individual
15 or entity who claims an interest in the aforementioned property must file a petition for a
16 hearing to adjudicate the validity of the petitioner's alleged interest in the property, which
17 petition shall be signed by the petitioner under penalty of perjury pursuant to 21 U.S.C. §
18 853(n)(3) and 28 U.S.C. § 1746, and shall set forth the nature and extent of the petitioner's
19 right, title, or interest in the forfeited property and any additional facts supporting the
20 petitioner's petition and the relief sought.

21 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED a petition, if any,
22 must be filed with the Clerk of the Court, Bruce R. Thompson U.S. Courthouse and Federal
23 Building, 400 South Virginia Street, 3rd Floor, Reno, Nevada 89501, no later than thirty
24 (30) days after the notice is sent or, if direct notice was not sent, no later than sixty (60) days
25 after the first day of the publication on the official internet government forfeiture site,
26 www.forfeiture.gov.

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1 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED a copy of the
2 petition, if any, shall be served upon the Asset Forfeiture Attorney of the United States
3 Attorney's Office at the following address at the time of filing:

4 Daniel D. Hollingsworth
5 Assistant United States Attorney
6 James A. Blum
7 Assistant United States Attorney
8 501 Las Vegas Boulevard South, Suite 1100
9 Las Vegas, Nevada 89101.

10 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED the notice
11 described herein need not be published in the event a Declaration of Forfeiture is issued by
12 the appropriate agency following publication of notice of seizure and intent to
13 administratively forfeit the above-described property.

14 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that the Clerk send
15 copies of this Order to all counsel of record.

16 DATED 1-22-, 2020.

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18 HONORABLE ROBERT C. JONES
19 UNITED STATES DISTRICT JUDGE
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CERTIFICATE OF SERVICE

A copy of the foregoing was served upon counsel of record via Electronic Filing on
January 21, 2020.

/s/ Heidi L. Skillin
HEIDI L. SKILLIN
FSA Contractor Paralegal